

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES C. STRINGER, No. CIV S-04-0551-LKK-CMK-P

Petitioner,

vs. ORDER

MICHAEL HARRISON, et al.,

Respondents.

Petitioner, a state prisoner proceeding with appointed counsel, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pending before the court is petitioner's request for a certificate of appealability (Doc. 39), filed on April 30, 2007.

Petitioner, a state prisoner proceeding pro se, has timely filed a notice of appeal of this court's [date] denial of his application for a writ of habeas corpus. Before petitioner can appeal this decision, a certificate of appealability must issue. See 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b). A certificate of appealability may issue under 28 U.S.C. § 2253 "only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). The court must either issue a certificate of appealability indicating which issues satisfy the required showing or must state the reasons why such a certificate should not issue.

1 Accordingly, the court grants the certificate of appealability on the issues
2 requested.

3 DATED: July 2, 2007.

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6 LAWRENCE K. KARLTON
7 SENIOR JUDGE
8 UNITED STATES DISTRICT COURT
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